

REMARKS

The Specification is amended to indicate the application is a National Stage entry of PCT/EP2004/002350 filed on March 8, 2004, which claims priority to U.S. Application 60/483,897, filed July 2, 2003. The priority is noted in the combined Declaration and Power of Attorney filed on October 3, 2005 and the information concerning the claim was recognized by the Patent Office as shown by its inclusion on the filing receipt mailed on May 9, 2006.

See MPEP 201.01section III (D), which states:

"if the claim is included in an oath or declaration or the application transmittal letter within the time period set forth in 37 CFR 1.78(a), the Office will not require a petition under 37 CFR 1.78(a) and the surcharge under 37 CFR 1.17(t) to correct the claim if the information concerning the claim was recognized by the Office as shown by its inclusion on the filing receipt. "

Thus, entry of the amendment is respectfully requested.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,

/Brion P. Heaney/
Brion P. Heaney, Reg. No. 32,542
Attorney/Agent for Applicants

MILLEN, WHITE, ZELANO & BRANIGAN, P.C.
Arlington Courthouse Plaza 1
2200 Clarendon Boulevard, Suite 1400
Arlington, VA 22201
Telephone: 703-243-6333
Facsimile: 703-243-6410
Attorney Docket No.: MERCK-2723

Date: December 9, 2010

DOCKET NO: MERCK-2723